

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-33320 – APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: MAYNARD J. WEINS JR ETAL**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (U-0030-91).
2. The owner of this Off-Premise Sign (Billboard) shall, within 30 days, obtain either construction inspection and approval by the City, or structural certification, as those items are described in Title 19.14.100(D), paragraph six, subsection a or b. Failure to secure the required final inspection may result in fines and/or removal of the Off-Premise Sign (Billboard).
3. This Special Use Permit shall be placed on an agenda closest to May 15, 2012 at which time the City Council may require the Off-Premise Sign (Billboard) be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
4. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (U-0030-91) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (U-0030-91) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2750 N. Decatur Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/88	The City Council approved a request for a Variance (V-0133-88) to allow a 12-foot by 24-foot Off-Premise Sign (Billboard) to a height of 40 feet on the east side of Decatur Boulevard, approximately 1,000 feet south of Rancho Drive. The Board of Zoning Adjustment recommended denial on 11/17/88.
12/21/88	The City Council approved a request for a Special Use Permit (U-0157-88) to allow two 12-foot by 24-foot Off-Premise Signs (Billboards) to a height of 40 feet on the east side of Decatur Boulevard, approximately 400 feet and 700 feet south of Rancho Drive. The Board of Zoning Adjustment recommended approval on 11/17/88.
01/19/94	The City Council approved a request for a Required Review [V-0133-88(1)] of an approved Variance (V-0133-88) to allow a 12-foot by 24-foot Off-Premise Sign (Billboard) to a height of 40 feet on the east side of Decatur Boulevard, approximately 1,000 feet south of Rancho Drive. The Board of Zoning Adjustment recommended approval on 12/28/93.
01/19/94	The City Council approved a request for a Required Review [U-0157-88(1)] of an approved Special Use Permit (U-0157-88) for two 12-foot by 24-foot Off-Premise Signs (Billboards) on the east side of Decatur Boulevard, approximately 400 feet and 700 feet south of Rancho Drive. The Board of Zoning Adjustment recommended approval on 12/28/93.
02/16/00	The City Council approved a request for a Required Review [V-0133-88(2)] of an approved Variance (V-0133-88) to allow a 12-foot by 24-foot Off-Premise Sign (Billboard) to a height of 40 feet on the east side of Decatur Boulevard, approximately 1,000 feet south of Rancho Drive. The Board of Zoning Adjustment recommended denial on 01/04/00.
03/20/91	The City Council approved a request for a Special Use Permit (U-0030-91) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) on the east side of Decatur Boulevard, approximately 1,000 feet south of Rancho Drive. The Board of Zoning Adjustment recommended denial on 02/28/91.

05/15/96	The City Council approved a request for a Required Review [U-0030-91(1)] of an approved Special Use Permit (U-0030-91) for a 14-foot by 48-foot Off-Premise Sign (Billboard) on the east side of Decatur Boulevard, approximately 1,000 feet south of Rancho Drive. The Board of Zoning Adjustment recommended approval on 04/23/96.
02/16/00	The City Council approved a request for a Required Review [U-0157-88(2)] of an approved Special Use Permit (U-0157-88) for two 12-foot by 24-foot Off-Premise Signs (Billboards) on the east side of Decatur Boulevard, approximately 400 feet and 700 feet south of Rancho Drive. The Planning Commission recommended denial on 01/28/99.
08/01/01	The City Council approved a request for a Special Use Permit and Site Development Plan Review (U-0059-01) for six (6) 14-foot by 48-foot Off-Premise Signs (Billboards) on the south side of the intersection of Rancho Drive and Decatur Boulevard. The Planning Commission recommended denial on 05/24/01.
0707/04	The City Council approved a request for a Required Review [U-0059-01(1)] of an approved Special Use Permit and Site Development Plan Review (U-0059-01) for five (5) 15-foot by 48-foot Off-Premise Signs (Billboards) adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard.
09/07/05	The City Council approved a request for a Required Review (RQR-4239) of an approved Special Use Permit (U-0059-01) for two (2) 14-foot by 48-foot Off-Premise Signs (Billboards) adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval of the sign at Rancho Drive and denial of the sign at Decatur Boulevard.
12/20/06	The City Council approved a request for a Required Review (RQR-17040) of an approved Special Use Permit (U-0059-01) for two (2) 14-foot by 48-foot Off-Premise Signs (Billboards) adjacent to the northeast corner of Smoke Ranch Road and Decatur Boulevard. The Planning Commission recommended approval on 11/16/06.
04/09/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #43/ds).
<i>Related Building Permits/Business Licenses</i>	
12/18/90	A building permit (90092459) was issued for a new building at 2750 N. Decatur Boulevard. The permit was finalized on 05/14/91.
12/17/90	A building permit (90092334) was issued for a new building at 2750 N. Decatur Boulevard. The permit was finalized on 06/13/91.
03/11/91	A building permit (91099778) was issued for a new building at 2750 N. Decatur Boulevard. The permit was finalized on 05/14/91.
11/21/02	A business license (G02-00499) was issued for an Auto Repair Garage, Minor at 2750 N. Decatur Boulevard. The license is still active.
12/02/02	A business license (P35-00218) was issued for a Pay Phone location at 2750 N. Decatur Boulevard. The license is still active.

<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
03/05/09	<p>Staff conducted a field check of the subject site with the following observations:</p> <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays. • All structural elements have been properly maintained and are screened from public view. • The sign and supporting structure appeared in good condition and does not require repainting or bird deterrents.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Repair Garage, Minor	GC (General Commercial)	C-2 (General Commercial)
North	Retail Establishment	North Las Vegas	North Las Vegas
South	Offices	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
East	North Las Vegas Airport	North Las Vegas	North Las Vegas
West	Apartments	M (Industrial)	R-PD20 (Residential Planned Development-20 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		N
A-O Airport Overlay District (35 feet)	X		N*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The City Council approved a Special Use Permit (U-0030-91) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2750 N. Decatur Boulevard. Representatives for the North Las Vegas Airport had no objection to the height of the sign.

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located in a C-2 (General Commercial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet in size and it does not have an embellishment.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 55 feet tall	N*
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are properly screened from public view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)	Sign is at least 300 feet from another billboard sign.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	Sign is at least 300 feet to property zoned for residential use.	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property zoned for residential use.	Y

* The City Council approved a Special Use Permit (U-0030-91) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2750 N. Decatur Boulevard.

ANALYSIS

This is the second required review of an approved Special Use Permit (U-0030-91) for a 55-foot tall, 14-foot by 48-foot Off-Premise Sign (billboard) at 2750 N. Decatur Boulevard. A research of the building permit activity found no history of a permit issued for the construction and installation of the billboard at the subject site. During a site inspection, staff found the sign and supporting structure in good condition with no discrepancies noted.

The area surrounding the billboard has experienced some new development in early 2000, consisting of Offices and an Auto Repair Garage, Minor, but nothing to warrant the removal of the billboard.

FINDINGS

This sign is located in a C-2 (General Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. The sign and supporting structure are in good condition and are being properly maintained. Though there has been some development in the surrounding area since the original installation of the sign, staff finds no adverse impact regarding the continued use of the sign at this time. The sign does lack any history of acquiring a building permit or final inspection; therefore, staff is recommending denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT

7

SENATE DISTRICT

4

NOTICES MAILED

63 by City Clerk

APPROVALS

1

PROTESTS

1